

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>Improving Public Safety Communications in the 800 MHz Band</b>	)	<b>WT Docket No. 02-55</b>
	)	

**COMMENTS OF THE COUNTY OF LOUDOUN, VIRGINIA  
IN SUPPORT OF  
PETITION OF THE COUNTY OF FAIRFAX, VIRGINIA,  
FOR WAIVER OF THE COMMISSION'S JUNE 26, 2008 PROGRAM  
COMPLETION DATE**

The County of Loudoun, Virginia (Loudoun County), pursuant to 47 C.F.R. § 1.45, hereby submits these comments in support of the Petition of the County of Fairfax, Virginia ("Fairfax County"), for Waiver of the Commission's June 26, 2008, Program Completion Date for Rebanding the County's 800 MHz Channels ("Fairfax County Petition"). The Fairfax County Petition was filed in the above-referenced docket on May 24, 2007.

**BACKGROUND**

County of Loudoun, Virginia ("Loudoun County") is authorized by the Commission under Part 90 of the Commission's Rules to operate an 800 MHz public safety voice radio network under call signs WPRS263, WPQZ390, WQCT758, and WQCT759 and. This system is an eight site, eleven channel trunked radio system that uses eleven paired frequencies in the National Public Safety Planning Advisory Committee ("NPSPAC") portion of the 800 MHz band. Loudoun County must reband its

systems pursuant to the Commission's Orders in this proceeding. As described more fully in the Fairfax County Petition, Loudoun County is one of the fourteen 800 MHz licensees in the Washington, D.C., metropolitan area that are interoperable with each other.<sup>1</sup> Over the past 20 years, these 14 National Capital Region ("NCR") licensees have built one of the most advanced interoperable public safety voice radio environments in the United States. That interoperability will be disrupted unless the rebanding of those systems is coordinated with due care and reasonable planning. Loudoun County has worked alongside Fairfax County and the other NCR jurisdictions for almost two years to determine how to reband as required by the Commission's order in this proceeding while maintaining the interoperable communications that play a critical role in its day-to-day responsibilities to protect the public and to respond to major incidents, disasters, terrorist attacks, and other large-scale emergency response situations

Loudoun County is currently planning the rebanding of its system. Following our planning process, we will be submitting our FRA with a project schedule. It is obvious at this point that our completion date is well beyond the June 2008 date established by the FCC.

#### **COMMENTS IN SUPPORT OF FAIRFAX COUNTY PETITION**

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<sup>1</sup> These jurisdictions include Fairfax County, Virginia; Arlington County, Virginia; City of Alexandria, Virginia; Prince William County, Virginia; City of Manassas, Virginia; Fauquier County, Virginia; Loudoun County, Virginia; the District of Columbia; Montgomery County, Maryland; Frederick County, Maryland; Charles County, Maryland; Prince George's County, Maryland; as well as the Metropolitan Washington Airports Authority, and the University of Maryland. They also include a number of independent jurisdictions that are not licensees themselves, but are subscribers on the trunked radio systems of the licensees listed above. In Loudoun County, this includes three additional jurisdictions - Town of Leesburg, Town of Purcellville and Town of Middleburg.

The Fairfax County Petition sought a waiver of the June 26, 2008, deadline for completion of reconfiguration by licensees that must reband pursuant to 47 C.F.R. § 90.677 and the Commission's Orders in this proceeding. Fairfax County asked the Commission to establish July 29, 2010, as the completion date for reconfiguration of the channels that the Fairfax County is licensed to operate in the 1-120 channel range and the NPSPAC portion of the 800 MHz band.<sup>2</sup> Fairfax County petitioned only on its own behalf, but it observed that the Commission can act on its own motion and grant a waiver on behalf of all NCR jurisdictions, and Fairfax County urged the Commission to do so.

Loudoun County supports the Fairfax County Petition. Moreover, Loudoun County agrees with Fairfax County's suggestion that the Commission should grant all NCR jurisdictions until July 29, 2010, to complete their rebanding activities. The Preliminary Master Schedule that was the basis for the Fairfax County Petition includes the rebanding activities of all 14 of the NCR jurisdictions, including Loudoun County. As the Fairfax County Petition explained, that schedule is high-level in nature and does not contain all of the detailed tasks required to safely and effectively reband the 800 MHz public safety radio systems in and around the NCR. However, it is the only schedule that currently covers the coordinated rebanding of interoperable 800 MHz public safety voice radio networks in the NCR. The final Master Schedule will not be generated until after execution of a Regional Planning and Coordination Agreement between the regional

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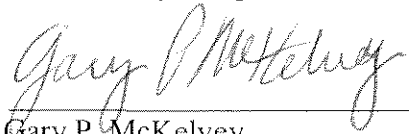
<sup>2</sup> As Fairfax County made clear, July 29, 2010, is the date by which Fairfax County currently expects it can vacate its 800 MHz 1-120 band channels. Fairfax County cannot reband its 800 MHz channels in the NPSPAC band until the 1-120 band channels are vacated. However, the County cannot accurately determine now the dates by which it can vacate its 800 MHz 1-120 band channels. Therefore, the County stated that it will have to request a waiver again once the County has more definitive information.

coordinator and Sprint Nextel, and then the execution of a contract between the regional coordinator and Motorola, Inc. As a result, the Preliminary Master Schedule is subject to change depending on how much time is consumed by the regional negotiations, when these contracts are finalized and executed, how and when Motorola can obtain scheduling information from the other NCR licensees, or other factors completely outside the control of Fairfax County or of Loudoun County.<sup>3</sup>

Loudoun County's system operates in the NPSPAC portion of the 800 MHz band, and therefore the FCC's extension of the Completion date to July 29, 2010, may not be sufficient time to enable Loudoun County to complete its rebanding. However, the FCC's extension of the Completion Date for Fairfax County and for all NCR jurisdictions to July 29, 2010, will allow the NCR jurisdictions to continue the necessary regional coordination. Moreover, it will allow time for the development of the Master Schedule that will more accurately set out the rebanding schedule for the entire NCR.

Respectfully submitted,

Loudoun County, Virginia

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<sup>3</sup> The Preliminary Master Schedule is based on the assumption that the contract between the regional coordinator and Motorola would be executed more than a month ago, on April 16, 2007. That contract has not yet been executed. Therefore, the dates set out in the Preliminary Master Schedule already are at risk.

CERTIFICATE OF SERVICE

The foregoing Replay in Support has been served electronically this day 12th day of June, 2007 upon:

David Furth, Associate Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, at [david.furth@fcc.gov](mailto:david.furth@fcc.gov)

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